

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today
(1) was not written for publication in a law journal and
(2) is not binding precedent of the Board.

Paper No. 14

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MASASHI NAGAMINE, KENJI YAMAMOTO,
YOSHIMITSU MATSUI, KENJI HORIUCHI
and MASANORI YOSHIDA
Junior Party,¹

v.

HIDEAKI NATSUGARI, YASUO SUGIYAMA
and YOSHINORI IKEURA
Senior Party,²

Patent Interference No. 104,047

Before RONALD H. SMITH, SOFOCLEOUS and DOWNEY, Administrative
Patent Judges.

RONALD H. SMITH, Administrative Patent Judge.

¹ Patent 5,464,863, granted November 7, 1995, based on Application 08/201,378, filed February 24, 1994. Assignor to Nihon Nohyaku Co., Ltd., Japan.

² Application 08/554,228, filed November 8, 1995. Accorded benefit of Application 08/165,925, filed December 14, 1993, now Patent No. 5,492,929, granted February 20, 1996; Japanese application Nos. 4-336312, filed December 16, 1992 and 5-248069, filed October 4, 1993. Assignor to Takeda Chemical Industries, Ltd., Japan.

Interference No. 104,047

JUDGMENT

Whereas Nagamine et al., the junior party have filed a request for entry of an adverse judgment pursuant to 37 CFR § 1.662(a), judgment as to the subject matter of the count in issue is hereby awarded to Natsugari et al., the senior party. Accordingly, Masashi Nagamine, Kenji Yamamoto, Yoshimitsu Matsui, Kenji Horiuchi and Masanori Yoshida are not entitled to a patent containing claims 1-6 corresponding to the count. Hideaki Natsugari, Yasuo Sugiyama and Yoshinori Ikeura are entitled to a patent containing claims 3-6, 8, 9, 11, 24, 25, and 28-34 corresponding to the count.

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	RONALD H. SMITH)	
	Administrative Patent Judge)	
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)	BOARD OF
PATENT)	
	_____)	APPEALS
	MICHAEL SOFOCLEOUS)	
	Administrative Patent Judge)	AND
)	
INTERFERENCES)	

Interference No. 104,047

_____)
MARY F. DOWNEY)
Administrative Patent Judge)

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